

SENATE BILL 2579
By Burks

AN ACT to amend Tennessee Code Annotated, Title 24, Chapter 2, Part 1, relative to witnesses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 24, Chapter 2, Part 1, is amended by adding the following as a new, appropriately designated section:

§24-2-1__.

(a) Upon being summoned to appear as a witness before any court of the United States or the state of Tennessee, an employee shall on the next day the employee is engaged in such employee's employment exhibit the summons to the employee's immediate superior; and the employee shall be excused from employment while appearing as a witness before such court.

(b)

(1) No employer shall discharge, demote, suspend or otherwise sanction an employee for appearing as a witness before any court of the United States or the state of Tennessee if, prior to taking time off necessary for such purpose, the employee complies with the notice requirement set forth in subsection (a).

(2)

(A) Any such employee who is discharged, demoted, suspended or otherwise sanctioned is entitled to reinstatement and reimbursement for lost wages and work benefits caused by such acts of the employer.

(B) Any employer who willfully refuses to rehire or otherwise restore such an employee or former employee commits a Class A misdemeanor.

(d) As used in this section;

(1) "Employee" does not include:

(A) Any person who has been employed on a temporary basis for less than six (6) months; or

(B) Any person who on a regular basis holds himself or herself out for hire as an expert witness,

(2) "Employer" includes any employer who employs on a regular basis five (5) or more employees, including the state of Tennessee and any county or municipality.

SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it.